

REMARKS

To speed prosecution and place the application in condition for immediate allowance, Applicants file herewith a terminal disclaimer to overcome the double patenting rejection based on the commonly assigned (Reel 013891; Frame 0068) U.S. Patent No. 6,830,528 B2, which is the parent application to the present divisional application.

Claims 1, 3, 8, and 15-26 are all the claims presently pending in the application.

The claims are listed above for the Examiner's convenience. No claims have been amended and no new matter has been added.

Claims 1, 3, 8, and 15-26 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,868,204, which is the parent application (U.S. Application No. 10/098,308) of the present application.

This rejection is respectfully traversed in the following discussion.

I. DOUBLE PATENTING REJECTION

Claims 1, 3, 8, and 15-26 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,868,204, which is the parent application (U.S. Application No. 10/098,308) of the present divisional application.

While Applicants believe that claims 1, 3, 8, and 15-26 of the present application are patentably distinct from claims 1, 9, and 11-13 of U.S. Patent No. 6,868,204 B2 (i.e., claims 1, 3, 8, and 15-26 of the present application and claims 1, 9, and 11-13 of U.S. Patent No. 6,868,204 B2 are not coextensive in scope), to speed prosecution and to place the application in condition for immediate allowance, Applicants file herewith a terminal disclaimer to overcome the double patenting rejection based on the commonly assigned (Reel 012713; Frame 0496) U.S. Patent No. 6,868,204 B2, which is the parent application (U.S. Application No. 10/098,308) to the present divisional application.

Applicants note that, because the present application is a divisional application of U.S. Patent No. 6,868,204 B2 (i.e., the patent issued on the present application's parent application 10/098,308), the patent term of the present application and U.S. Patent No. 6,868,204 B2 expire on the same day. Thus, filing a terminal disclaimer should not change the patent term of the present application.

Therefore, to expedite allowance of the present application, Applicants file herewith a terminal disclaimer to overcome the double patenting rejection based on the commonly assigned (Reel 012713; Frame 0496) U.S. Patent No. 6,868,204 B2, which is the parent application to the present divisional application.

Thus, the Examiner is requested to reconsider and withdraw this rejection and permit claims 1, 3, 8, and 15-26 to pass to immediate allowance.

II. FORMAL MATTERS

Applicants also request that the Examiner acknowledge receipt of and approve the Formal Drawings filed on February 18, 2004, and the Replacement Figures 15 and 16 filed on July 21, 2005.

III. CONCLUSION

In view of the foregoing, Applicants submit that claims 1, 3, 8, and 15-26, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


Serial No. 10/779,672
Docket No. 2001P078308 DIV1
(FUK.022DIV1)

10

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: January 13, 2006



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